

REMARKS

Claims 1-8 are pending in the application. Independent claims 1 and 5 have been amended, and new claims 7 and 8 have been added by the present amendment. The amendments and new claims are fully supported by the application as originally filed (see, e.g., specification at page 25, lines 3-21; page 12, second paragraph to page 13, first paragraph; and page 38, line 1 to page 39, last line).

Applicants' claimed invention is directed to an image processing device and method in which suspension of an invalidation or deletion operation to clear a data storing means is carried out while the invalidation is being performed (see, e.g., independent claims 1 and 5). For example, referring to FIG. 14 of the application, while a deletion operation is being carried out (steps S22 and S25), a request for suspension is made (step S26). Then, it is checked whether the user is a certified user (step S28), and the deletion operation is suspended only when it is confirmed that the user who made the request of suspension is a certified user (step S30).

Independent claims 1 and 5 have been amended in the manner of the After Final Amendment filed on September 10, 2008. In particular, the limitation "the invalidation is normally prioritized over the processing of the image data, but the invalidation is suspended and the processing of the image data is performed if approved by the user requesting the suspension" has been removed from claims 1 and 5, thus obviating the drawing objection, the rejections under 35 USC 112, first and second paragraph, and the new matter rejection. Withdrawal of these formal rejections/objections was confirmed in the Advisory Action of 10/16/2008.

As amended, independent claims 1 and 5 recite that "the invalidation being performed cannot be suspended unless approved by the certified user." Further, independent claims 1 and 5 have been amended to recite that the invalidation being performed is suspended after a predetermined code is inputted to confirm that a user requesting the suspension of the invalidation is a certified user, thus "maintaining a security level and allowing urgent data processing of a new job to be carried out."

For example, page 38, lines 5-8 of the specification refer to: "suspending the invalidation operation after the invalidation (deletion) operation is started, by inputting a predetermined key operator code, which is a proof that the user (operator) is a certified operator ... who has a right to stop the invalidation (deletion) operation of the image data."

On page 39, third paragraph, it is described that "only a specific administrator (the certified user) can judge whether or not the suspension operation should be enforced in order to carry out new image data processing during the invalidation operation of the image data in the hard disk. With this arrangement, the image processing device ... can maintain the security level, while efficiently carrying out urgent data processing of a new job without causing delay of the processing."

In other words, as described in the above passages and elsewhere in the specification, upon entry of a predetermined code by a specific user (certified user), an invalidation procedure is suspended, which maintains a security level and allows urgent data processing of a new job to be carried out, by virtue of the fact that only the specific user (certified user) can suspend the invalidation procedure.

Claims 1-4 were rejected under 35 USC 103(a) as being unpatentable over U.S. Patent 6,285,459 to Koakutsu et al. ("Koakutsu") in view of U.S. Patent Application Publication US 2002/0032703 to Gassho et al. ("Gassho"), further in view of Japanese Publication 09-284572 to Rieko et al. ("Rieko"), further in view of U.S. Patent Application Publication US 2001/0000360 to Shibata. Claims 5 and 6 were rejected under 35 USC 103(a) as being unpatentable over Koakutsu in view of Rieko, further in view of Shibata. These rejections are respectfully traversed.

In the "Response to arguments" section on page 2 of the Office Action of 07/10/2008, it was alleged that "Rieko teaches suspension of an invalidation operation while the invalidation is being performed."

In Rieko, in step S405, a deletion suspension is carried out immediately after a deletion suspension request is made (step S402).

There is no teaching or suggestion in Rieko of checking whether the "user who requested the suspension of the invalidation is a certified user," as recited in independent claims 1 and 5.

In other words, according to Rieko, anyone could suspend an invalidation at any time, without being limited to a "certified user" as required in the Applicants' claimed invention.

On page 2, last paragraph to page 3, first paragraph of the Office Action of 07/10/2008, it was alleged that the Shibata reference teaches "permitting the suspension of the invalidation, in response to a request of the suspension of the invalidation of a user, after it is confirmed that the user who requested the suspension of the invalidation is a certified user (super user is a certified user)," referring to the abstract, FIG. 3, and paragraphs 0066-0078 and 0085-0093.

As stated in paragraph 0073 of Shibata, in the super user mode, "it is possible to cancel or output the print job data."

In other words, in Shibata, correct entry of a password confirms the user's identity, and may allow printing or cancellation of a print job (see, e.g., paragraphs 0071-0078 of Shibata). However, there is no teaching or suggestion that the user is somehow permitted to suspend an invalidation/deletion that is already being performed. One of ordinary skill in the art would understand that printing or cancellation of a print job (permitted upon entry of a password in Shibata) would not allow the user to somehow suspend an invalidation/deletion being performed.

The Rieko and Shibata references simply do not permit an invalidation operation to be suspended upon entry of a predetermined code, i.e., only by a specific user (certified user) for "maintaining a security level" as recited in independent claims 1 and 5 (see, e.g., Applicants' specification at page 39, last paragraph).

There is no teaching or suggestion, even if Shibata is combined with the Koakutsu, Gassho, and/or Rieko references, that "a predetermined code is inputted to confirm that a user who requested the suspension of the invalidation is a certified user" (claim 1) or "suspending the invalidation being performed by inputting a predetermined code to confirm that the user who made the request of the invalidation is a certified user" (claim 5).

Further, there is no teaching or suggestion in the Shibata reference or the other cited references, whether taken alone or in combination, that the invalidation being performed "cannot be suspended unless approved by the certified user by entry of the predetermined code, thus maintaining a security level and allowing urgent data processing of a new job to be carried out," as recited in independent claims 1 and 5.

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

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